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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,076	11/26/2003	Hiroo Okamoto	62758-066	4159

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EXAMINER

AGWUMEZIE, CHARLES C

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/722,076	Applicant(s) OKAMOTO ET AL.	
	Examiner Charlie C. Agwumezie	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7, 8 and 10-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-8, and 10-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/26/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 01, 2006 has been entered.

Status of claims

2. Claims 6 and 9 are cancelled. Claims 1, 5 and 8 have been amended. Claims 1-5, 7-8, and 10-20 are pending in this application per the request for continued examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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3. **Claims 1-2, 4-6, 8, 10, and 12-14**, are rejected under 35 U.S.C. 102(e) as being anticipated by Fuchigami U.S. Patent Application Publication No. 2002/0141737 A1.

4. As per **claim 1**, Fuchigami discloses a receiving apparatus, for receiving digital information, and for outputting it into a printer, comprising:

a receiving circuit for receiving said digital information (fig. 5);

an extractor circuit for extracting static image information from said digital information (0036; 0108; 0110; 0134);

a recording/reproducing circuit for recording therein the extracted static image information (0108; 0110; 0134); and

an output circuit for outputting the static image information reproduced from said recording/reproducing circuit to the printer, with copy control information added thereto, as information for control of printing of said printer (fig. 1, 6, 11, 14 and 17; 0117; 0136;), wherein:

said copy control information is applicable, in common, both as information for copy control in a recording/reproducing circuit and as information for printing control in said printer, and printing of said digital information is controlled based upon said copy control information (see fig. 14 and 17; 0043; 0044; 0069; 0071; 0085; 0092; 0117; 0136; claim 27) and

printing of said digital information is controlled based upon said copy control information, in such a manner that:

(1) the printing of said digital information is allowed when said copy control information would permit making a copy of said digital information (0117; 0136)

(2) the printing of said digital information is allowed when said digital information has been obtained by permissible copying but copy control information would permit no further copying of said digital information (0117; 0136); and

(3) the printing of said digital information is disabled when said copy control information completely inhibits the copying of said digital information (0700; 0071; 0117; 0136; 0143).

5. As per **claim 2**, Fuchigami discloses the receiving apparatus, further comprising: a converter circuit for converting said static image information into data for use in printing, wherein said output circuit adds the copy control information to said data for use in printing, so as to output it (see fig. 7, 14 and 17; 0117; 0136).

6. As per **claim 4**, Fuchigami further discloses the receiving apparatus, wherein said digital information is digital image information (0092; 0117; 0136).

7. As per **claim 5**, Fuchigami discloses a printer for printing digital information inputted from a recording/reproducing apparatus, comprising:

an input circuit for inputting said digital information (0092);

a printer circuit for printing the inputted digital information (figs. 13 and 14; 0117; 0136);

and a control circuit for detecting copy control information added to said digital information, thereby to control printing in said printer circuit depending upon the detected copy control information (0092; 0117; 0136) wherein

said copy control information is applicable, in common, both as information for copy control in a recording/reproducing circuit and as information for printing control in said printer (see fig. 14 and 17; 0043; 0044; 0069; 0071; 0085; 0092; 0117; 0136; claim 27) and

said control circuit controls printing of said digital information based upon the detected copy control information in such a manner that :

(1) the printing of said digital information is allowed when said copy control information would permit making a copy of said digital information (0117; 0136)

(2) the printing of said digital information is allowed when said digital information has been obtained by permissible copying but copy control information would permit no further copying of said digital information (0117; 0136); and

(3) the printing of said digital information is disabled when said copy control information completely inhibits the copying of said digital information (0700; 0071; 0117; 0136; 0143).

8. As per claim 6, Fuchigami discloses the printer, wherein said control circuit enables the printing when said copy control information would permit making a copy thereof in a recording/reproducing circuit, whereas the printing is disabled when said copy control information does not permit the copying thereof (fig. 13, 14 and 17).

9. As per claim 8, Fuchigami discloses a printing control method, for controlling printing of digital information in a printer, comprising steps of:

inputting digital information from a recording/reproducing apparatus (0092; 0122);

detecting copy control information, which is added to said digital information (see fig. 4 and 9; 0069; 0071); wherein

said copy control information is applicable, in common, both as information for copy control in a recording/reproducing circuit and as information for printing control (see fig. 14 and 17; 0043; 0044; 0069; 0071; 0085; 0092; 0117; 0136; claim 27); and

controlling whether or not to permit the printing of said digital information depending upon the detected copy control information wherein printing of said digital information is controlled based upon said copy control information (fig. 2, col. 2, lines 40-47, col. 3, lines 1-8, col. 5, lines 1-15, col. 6, lines 15-20) in such a manner that:

(1) the printing of said digital information is allowed when said copy control information would permit making a copy of said digital information (0117; 0136)

(2) the printing of said digital information is allowed when said digital information has been obtained by permissible copying but copy control information would permit no further copying of said digital information (0117; 0136); and

(3) the printing of said digital information is disabled when said copy control information completely inhibits the copying of said digital information (0700; 0071; 0117; 0136; 0143).

10. As per **claim 10**, Fuchigami further discloses the printing control method, wherein no data for use in printing is outputted when said copy control information does not permit the printing (0117; 0136).

11. As per **claim 12**, Fuchigami further discloses the printing control method, wherein transmission of print data in the printing of said digital data is conducted by "move" thereof (0073).

12. As per **claim 13**, Fuchigami further discloses the printing control method, wherein the printing is performed when said copy control information is either one of "Copy Free", "Copy One Generation" and "No More Copy", allowing the "move", on the other hand the printing is not performed when said copy control information is "Copy Never" not allowing the "move" (see fig. 11; 0070; 0073).

13. As per **claim 14**, Fuchigami further discloses the receiving apparatus, further comprising a temporary buffer, a print screen selecting means, and means for initiating said print screen selecting means, wherein a print screen is selected from the digital information stored in said temporary buffer for use of printing by means of said print screen selecting means (fig. 5 and 13; 0092).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. **Claim 3 and 7**, are rejected under 35 U.S.C. 103(a) as being unpatentable Fuchigami U.S. Patent Application Publication No. 2002/0141737 A1 in view of Yoneda et al U.S. Patent Application Publication 2002/0056115.

15. As per **claim 3**, Fuchigami failed to explicitly disclose the receiving apparatus, wherein said output circuit scrambles said static image information depending upon the copy control information, so as to output it.

Yoneda discloses the receiving apparatus, wherein said output circuit scrambles said static image information depending upon the copy control information, so as to output it (0006).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Fuchigami and provide the receiving apparatus, wherein said output circuit scrambles said static image information depending upon the copy control information, so as to output it in view of the teachings of Yoneda et al in order to ensure that meaningful information is printed.

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16. As per **claim 7**, Fuchigami failed to explicitly disclose the printer, wherein the digital information is scrambled, and said input circuit performs de-scrambling on the information inputted with scrambling thereon.

Yoneda et al discloses the printer, wherein the digital information is scrambled, and said input circuit performs de-scrambling on the information inputted with scrambling thereon (0006).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Teruhiko and provide the printer, wherein the digital information is scrambled, and said input circuit performs de-scrambling on the information inputted with scrambling thereon in view of the teachings of Yoneda et al in order to ensure that meaningful information is printed.

17. **Claims 11, and 15-20**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuchigami U.S. Patent Application Publication No. 2002/0141737 A1 in view of Kori European Patent Application EP 1 085 740 A2.

18. As per **claim 11**, Fuchigami failed to explicitly disclose the printing control method, further comprising informing a user that said digital information cannot be printed out, when said copy control information does not permit the printing.

Kori discloses the printing control method, further comprising informing a user that said digital information cannot be printed out, when said copy control information does not permit the printing (col. 3, lines 23-30).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Fuchigami and provide the printing control method, further comprising informing a user that said digital information cannot be printed out, when said copy control information does not permit the printing in view of the teachings of Kori in order to show that user is notified of printing status.

19. As per claim 15, Fuchigami failed to disclose the printer, wherein said control circuit deletes the digital information stored within the printer, when the printing is completed without generating an abnormality during the printing.

Kori discloses the printer, wherein said control circuit deletes the digital information stored within the printer, when the printing is completed without generating an abnormality during the printing (col. 15, lines 10-14, col. 16, lines 45-52).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Fuchigami and provide the printer, wherein said control circuit deletes the digital information stored within the printer, when the printing is completed without generating an abnormality during the printing in view of the teachings of Kori in order to ensure that printing buffer is not over loaded and is made ready for next printing process.

20. As per claim 16, Fuchigami failed to explicitly disclose the printer, wherein said control circuit prints out the digital information stored within the printer, again, when an abnormality generates during the printing.

Kori further discloses the printer, wherein said control circuit prints out the digital information stored within the printer, again, when an abnormality generates during the printing (col. 16, lines 45-52, col. 17, lines 1-5).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Fuchigami and provide the printer, wherein said control circuit prints out the digital information stored within the printer, again, when an abnormality generates during the printing in view of the teachings of Kori in order to ensure that printing is resumed after encountering abnormality.

21. As per claim 17, Fuchigami failed to explicitly disclose the printer, further comprising a display circuit for indicating on whether the printing is completed normally or not, wherein said display circuit displays that the printing is failed when the printing is failed.

Kori discloses the printer, further comprising a display circuit for indicating on whether the printing is completed normally or not, wherein said display circuit displays that the printing is failed when the printing is failed (col. 11, lines 12-15).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Fuchigami and provide the printer, further comprising a display circuit for indicating on whether the printing is completed normally or not, wherein said display circuit displays that the printing is failed when the printing is failed in view of the teachings of Kori in order to ensure that printing status.

22. As per **claim 18**, Fuchigami failed to explicitly disclose the printer, wherein said control circuit makes setting on whether the printing should be done or not, again, depending upon a user input conducted to the input circuit, which is made responding to display by means of the display circuit.

Kori discloses the printer, wherein said control circuit makes setting on whether the printing should be done or not, again, depending upon a user input conducted to the input circuit, which is made responding to display by means of the display circuit (col. 5, lines 1-7, 30-39).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Fuchigami and provide the printer, wherein said control circuit makes setting on whether the printing should be done or not, again, depending upon a user input conducted to the input circuit, which is made responding to display by means of the display circuit in view of the teachings of Kori in order to ensure that meaningful information is printed.

23. As per **claim 19**, Fuchigami failed to explicitly disclose the printer, wherein said control circuit informs that the printing is failed, to a digital apparatus, which outputs the print data, when the printing is failed.

Kori discloses the printer, wherein said control circuit informs that the printing is failed, to a digital apparatus, which outputs the print data, when the printing is failed (fig. 4, col. 11, lines 12-13).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Fuchigami and provide the printer, wherein said control circuit informs that the printing is failed, to a digital apparatus, which outputs the print data, when the printing is failed in view of the teachings of Kori in order to ensure status of printing process.

24. As per claim 20, Fuchigami failed to explicitly disclose the receiving apparatus, further comprising a display circuit for indicating a print failure message when receiving information of print failure from the printer.

Kori discloses the receiving apparatus, further comprising a display circuit for indicating a print failure message when receiving information of print failure from the printer (fig 4, col. 11, lines 12-13).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Fuchigami and provide the receiving apparatus, further comprising a display circuit for indicating a print failure message when receiving information of print failure from the printer in view of the teachings of Kori in order to ensure printing process status.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The reference cited to Kambayashi U.S. Patent Application Publication No. 2003/0065621 A1 is a document considered relevant to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Agwumezie whose number is **(571) 272-6838**. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on **(571) 272 – 6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

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Charlie Lion Agwumezie
Patent Examiner
Art Unit 3621
March 28, 2006

Charlie Lion Agwumezie
PRIMARY EXAMINER